

## REDUCE NUMBER OF FOREIGN MINISTERS.

JANUARY 12, 1832.

Read, and laid upon the table.

Mr. ARCHER, from the Committee on Foreign Affairs, instructed to inquire into the expediency of reducing the number of Foreign Ministers, &c. made the following

### REPORT:

*The Committee on Foreign Affairs, to which has been referred a resolution, instructing them "to inquire into the expediency of reducing the number of our Ministers, resident abroad, above the grade of Chargés des Affaires, to three, viz: to England, France, and Russia," have had the same under consideration, and report:*

The inquiry is presented antecedently to that of the expediency, as respects the competency to adopt the regulation which the resolution suggests. The constitution has assigned to the Executive the office of deputing the functionaries of diplomatic intercourse, and, consequently, of deciding on the grade or rank, as other circumstances of the missions, it may see occasion to institute. The authority to institute may be variously assigned—(as it has been in different Governments,) to the Legislative as the Executive department; but, however placed, this discretion, as respects grade, is to be regarded as an inseparable ingredient of the power. The resolution directs inquiry into the expediency of excluding the exercise, as respects the whole class of the higher grades of missions, with the exception of three, specifically designated. The committee are of opinion, that this would be an obvious intrusion on the executive province, in this respect, confining (with an inconsiderable exception) the range which the constitution has, in terms, extended over all classes, to the lower classes only, of the appropriate subjects of its operation. That such a confinement would constitute intrusion on the executive function, is a proposition sufficiently illustrated in the proper statement of it. The object which the resolution submits for inquiry, is not attainable, therefore, if this view be correct, by a general legislative regulation. It does not follow, however, that a control not sufficiently effective on the executive discretion is excluded. On the contrary, this control will be found to be ample. The Senate are equally endowed with authority to check error or excess, as regards the rank, as the institution of missions—an authority which it has been in the practice of

exerting. Nor is this the exclusive check. The House of Representatives, in the exercise of its full authority over the subject of supply, as it is enabled, *practically*, to frustrate the institution of a mission, by withholding; so it is enabled, in the same way, to model its grade, by *apportionment* of the means required to carry it into effect. The grant has only to be adapted to the expense of a lower, in place of a higher, grade, and the mission has to expire or conform to the standard thus prescribed. The capacity, it will be perceived, therefore, is ample, on the part of Congress, to control the expense of the diplomacy of the country, without the breach of a constitutional demarcation, and of *comity* to a co-ordinate department of authority; which would be involved in a general, peremptory, inhibition of a particular scope of appointment.

An inhibition of this character, independently of its invidious aspect and occasion of embarrassment to the Executive, might be found exerting an operation prejudicial to the public service. Powers of a certain rank, in the practice of receiving no mission below the grade which is the highest we are accustomed to employ, would not fail to regard the sending a mission of inferior grade as a breach of an established form of respect. In such an event, supposing the reception of the mission exposed to no hazard, its opportunities of conducting its objects to success, would be clouded in the outset. It cannot be advisable to exclude diplomatic relations with all Powers of this character, save three, by a fixed *pale*; or, in conducting negotiation with them to place the Government in this position of embarrassment. It is an established principle of modern diplomacy, that the return of a mission of a grade inferior to that which has been received from the same Power, constitutes a breach of comity, even authorizing, if the aggrieved party elect to proceed to that extreme, a withdrawal from diplomatic intercourse. Would prudence warrant the necessary violation of this principle of courtesy, under a *compulsory general rule*, from the small consideration of the expense which might be involved by its occasional observance?

The estimates for the year contemplate four missions of full grade. The resolution under review recognizes the propriety of three of these. A single instance only, therefore, is to be considered as calling for the application of the principle of reduction presented for inquiry. The Power which would be excluded by this application, one of the first, must always continue of a high rank. It has been esteemed in a *peculiar degree regardful of the observance of due forms of respect* in diplomatic intercourse. With this Power, the United States have important political and commercial relations, and subjects of delicate discussion unadjusted. The policy of hazarding the disgust which reduction in the rank of our mission would not fail, in the known temper of that court, to inspire, is submitted to the consideration of the House.

Regarding, as a primary interest and fixed policy of the United States, the cultivation, extension, and confirmation, of commercial relations, in every quarter in which they can be found and established; and the diplomacy of the country, as maintained chiefly in subservience to these ends; the committee would be reluctant to recommend restraint in the employment of an instrument susceptible of application to such beneficial use, supposing the competency of Congress to adopt such restraint. This competency, it has been seen, appears to the committee to be excluded, in the mode of restraint submitted for inquiry by the resolution. A very inconsiderable addition to the expense of diplomatic intercourse is to be apprehended from the occasional

preference of full to minor missions, no material abuse having occurred, in this respect, in the progress of the Government. Should any be threatened, in future, the means of counteraction, it has been perceived, are several, obvious, certainly effective, and such as to admit of easy and speedy resort.

The committee submit a resolution, that they be discharged from the further consideration of the resolution which has been referred to them.

